

STATE OF NEBRASKA

DEPARTMENT OF NATURAL RESOURCES

IN THE MATTER OF APPROPRIATIONS A-16642A AND A-16642B

WATER DIVISION 2-C

BACKGROUND

1. Nebraska Revised Statute 46-2,112 requires the Department of Natural Resources (Department) to review an appropriation for instream flow every fifteen years after it is granted.
2. Water appropriations A-16642A and A-16642B are instream flow appropriations on Long Pine Creek in the name of the Nebraska Game and Parks Commission (NGPC). These appropriations are for the purpose of sustaining naturally reproducing rainbow and brown trout populations. The appropriations were approved by the Department on December 14, 1989.
3. In accordance with Neb. Rev. Stat. § 46-2,112 the Department published notice of the applications for three consecutive weeks commencing on July 24, 2019, and ending on August 7, 2019, and posted on the Department's website. The notice provided that a person may submit information to the Department using either Option 1 or Option 2. Option 1 provides the opportunity for any interested party to file supportive or negative comments without requesting a hearing. Option 2 provides an opportunity to request a formal hearing as an objector.
4. Several Option 1 letters showing support for the NGPC instream flow appropriations were received in the Department. There were no Option 2 objectors requesting a formal hearing.
5. On September 16, 2019, a letter from James Douglas, Director of the Nebraska Game and Parks Commission, was filed stating that the Commission's staff routinely conduct fishery surveys on Long Pine Creek and that the naturally producing brown and rainbow trout fisheries continue to be present.

It is therefore FOUND based upon documents on file in the Department and the above information that these appropriations continue to be used beneficially for the purposes for which they were granted, are in the public interest, and therefore should continue in effect with no modifications.

It is so ORDERED

DEPARTMENT OF NATURAL RESOURCES

October 28, 2019

  
Gordon W. Fassett, P.E., Director

A copy of this Order was posted on the Department's website, provided to the Department's field office in Ord, Nebraska and mailed on October 28, 2019, to the following:

James Douglas, Director  
Nebraska Game and Parks Commission  
INTERAGENCY P.O. Box 30370  
Lincoln, Nebraska 68503